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PP RUEHWEB

DE RUCNDT #1139 3401452  
ZNR UUUUU ZZH  
P 051452Z DEC 08  
FM USMISSION USUN NEW YORK  
TO RUEHC/SECSTATE WASHDC PRIORITY 5478  
INFO RUEHGV/USMISSION GENEVA PRIORITY 3458

UNCLAS USUN NEW YORK 001139

SIPDIS

E.O. 12958: N/A

TAGS: [PHUM](#) [PGOV](#) [PREL](#) [KIRF](#) [AORC](#) [UNGA](#)

SUBJECT: UNGA THIRD COMMITTEE TAKES ACTION ON DEFAMATION OF  
RELIGIONS, ESA EXECUTIONS, AND MORE

¶1. On November 24, the UN General Assembly Third Committee adopted two draft resolutions by consensus and adopted six others by vote, including three resolutions on which the United States was the sole opponent. The draft resolutions adopted by consensus were A/C.3/63/L.58/Revision 1, entitled "Assistance to refugees, returnees and displaced persons in Africa" and A/C.3/63/L.73, entitled "Follow-up to the Fourth World Conference on Women and full implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session of the General Assembly."

The U.S. is a co-sponsor of A/C.3/63/L.58/Revision 1. The United States delivered an Explanation of Position on A/C.3/63/L.73, in which the United States dissociated from consensus; the complete text of this and all other U.S. statements can be found at [www.usunnewyork.usmission.gov](http://www.usunnewyork.usmission.gov).

¶2. Draft resolution A/C.3/63/L.50/Revision 1, entitled "Use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination," passed in a vote (called by the United States) of 122 in favor, 51 against (U.S.), and five

abstentions. Draft resolution A/C.3/63/L.22/Revision 1, entitled "Combating defamation of religions," passed in a vote of 85 in favor, 50 against (U.S.), and 42 abstentions. Draft resolution A/C.3/63/L.42/Revision 1, entitled "The right to food," passed in a vote (called by the United States) of 180 in favor, one against (U.S.), and no abstentions. Draft resolution A/C.3/63/L.30/Revision 1, entitled "The right to development," passed in a vote (called by the United States) of 177 in favor, one against (U.S.), and two abstentions. Draft resolution A/C.3/63/L.35/Revision 1, entitled "Extrajudicial, summary or arbitrary executions," passed in a vote of 121 in favor, none against, and 57 abstentions (U.S.). The proposed amendment in L.74, dealing with States in which the death penalty has not been abolished, was withdrawn by the sponsor, the Organization of the Islamic Conference (OIC). The proposed amendment in L.75 was voted on in two parts. Parts A and B of paragraph one, dealing with the death penalty, were rejected in a vote of 78 against (U.S.), 60 in favor, and 29 abstentions. Part C, dealing with sexual orientation, was rejected in a vote of 77 against (U.S.), 59 in favor, and 25 abstentions. Draft resolution A/C.3/63/L.16/Revision 1, entitled "Rights of the child," passed in a vote (called by the United States) of 180 in favor, one against (U.S.), no abstentions. The U.S. issued Explanations of Vote (EOVs) on A/C.3/63/L.22/Revision 1, A/C.3/63/L.42/Revision 1, A/C.3/L.30/Revision 1, and A/C.3/63/L.16/Revision 1.

¶3. During the discussion on draft resolution A/C.3/63/L.22/Revision 1, Uganda, on behalf of the OIC, said that while Islam was currently the main target of defamation of religions, the draft did not preclude that it could happen to other religions in the future. The observer from the Holy See said he feared that the draft's focus on the protection of institutions, symbols, and ideas, rather than on individual and group rights, would stifle dialogue and would result in national laws penalizing religious minority groups.

The United States expressed concern that in seeking to address defamation of religions, some States were taking measures to restrict freedom of expression rather than focusing on fostering dialogue. The United States also noted concern that the text considered race and religion similarly, suggesting that individuals did not have the right to choose or change their religion, which countered provisions for such in the Universal Declaration of Human Rights. France, on behalf of the European Union, noted the need to distinguish between incitement to religious hatred and the right to discuss or criticize religion, and said that international prevention efforts should focus on incitement to religious hatred.

¶4. During the discussion on draft resolution A/C.3/63/L.35/Revision 1, Uganda noted the OIC's concern that the situation of persons under foreign occupation was not adequately addressed in the text. Uganda also expressed the OIC's concern regarding the draft's reference to sexual orientation, claiming that there was no legal provision for such in international human rights instruments. Several delegations defended the need to include a reference to sexual orientation, with the Netherlands appealing to the Committee to "call a spade a spade," noting that there was a link between arbitrary killings and sexual orientation, and emphasizing that the UN should not "shy away" from addressing the issue. The United States and Israel expressed their regret over the politicization of parts of the draft resolution, particularly the OIC's attempt to insert unhelpful language on foreign occupation.

Wolff